



FTW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Koichi NAGATA**

Art Unit: **4181**

Application Number: **10/574,805**

Examiner: **Bijay S. Saha**

Filed: **April 5, 2006**

Confirmation Number: **4237**

For: **METHOD OF FULLERENE SEPARATION AND COMPLEX
CONTAINING FULLERENE**

Attorney Docket Number: **062328**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

November 10, 2008

Sir:

This paper is submitted in response to the Office Action dated October 15, 2008.

In the Office Action, restriction is required between Group I (Claims 19-22, 29, 31, 33 and 35); Group II (Claims 23-28, 30, 32, 34 and 36) and Group III (Claims 37-39).

Applicant hereby elects the subject matter of Group I (Claims 19-22, 29, 31, 33 and 35) for prosecution in this application. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

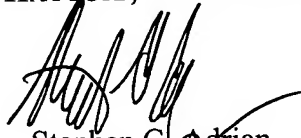
Application No.: 10/574,805
Art Unit: 4181

Response to Restriction Requirement
Attorney Docket No.: 062328

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read 'Stephen G. Adrian', is written over the printed name.

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SGA/arf